

*Mc Lieberman*



Comptroller General  
of the United States

327107

Washington, D.C. 20548

## Decision

Matter of: Gas Equipment Engineering Corporation

File: B-259807.3; B-259807.4

Date: July 10, 1995

### DECISION

Gas Equipment Engineering Corporation protests the award of a contract to Pacific Consolidated Industries, Inc. under request for proposals No. DNA001-94-R-0102 issued by the Defense Nuclear Agency.

We dismiss the protest because the matter involved is currently pending before a court of competent jurisdiction.

It is our policy not to decide protests where the matter involved is the subject of litigation before a court of competent jurisdiction unless the court requests our decision. 4 C.F.R. § 21.9(a); Robinson Enters.--Request for Recon., B-238594.2, Apr. 19, 1990, 90-1 CPD ¶ 402. The matter raised by the protest is currently before a court, and since there is no indication that the court requests, expects, or is interested in our decision, we will not consider the protest. Adams & Assocs. Travel, Inc. et al., B-216673 et al., Feb. 1, 1985, 85-1 CPD ¶ 124.

The protest is dismissed.

*Paul I. Lieberman*

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